

Applicants : Josette Masle et al.
Serial No. : 10/519,135
Filed : August 15, 2005
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the Form PTO-1449 attached hereto as **Exhibit E**:

1. U.S. Patent Application Publication No. US 2002/0040489 A1, published April 4, 2002;
2. PCT International Publication No. WO 01/02541 A2, published January 11, 2001 (**Exhibit 1**);
3. Thumma, B.R., et al. (2001) Identification of causal relationships among traits related to drought resistance in *Stylosanthes scabra* using QTL analysis. Journal of Experimental Botany, vol. 52, no. 355, pp. 203 - 214 (**Exhibit 2**); and
4. Hervé, D., et al. (2001) QTL analysis of photosynthesis and water status traits in sunflower (*Helianthus annuus* L.) under greenhouse conditions. Journal of Experimental Botany, vol. 52, no. 362, pp. 1857 - 1864 (**Exhibit 3**).

Applicants note that items 1 to 4 were previously cited in an Supplementary Partial European Search Report issued in connection with a foreign counterpart of the subject application. A copy of the Supplementary Partial European Search Report is attached hereto as **Exhibit F**.

A copy of item 1 listed above, a U.S. Patent Application Publication, has not been included as an Exhibit in accordance with 37 C.F.R. §1.98(a)(2)(ii).

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An Information Disclosure Statement including a Form PTO-1449 and a copy of the International Search Report for PCT International Publication No. WO 2004/005555 A1, published January 15, 2004 was filed in connection with the subject application on December 22, 2004. An initialed copy of the Form PTO-1449 was included with the November 14, 2006 Office Action. The November 14, 2006 Office Action indicated that the reference pertaining to the "PCT International Search Report" is crossed out on the initialed copy of the Form PTO-1449 because a complete bibliographic information of the citation is allegedly missing.

In response, in order to expedite prosecution, and without conceding the correctness of the Examiner's position, applicants attach hereto as Exhibit G a copy of the International Search Report and included a reference to the International Search Report on the Form PTO-1449 attached hereto as Exhibit E.

This Supplemental Information Disclosure Statement is being filed after the period specified in 37 C.F.R. §1.97(b). According to 37 C.F.R. §1.97(c) an Information Disclosure Statement filed after the period specified in 37 C.F.R. §1.97(b) shall be considered if accompanied by the fee set forth in 37 C.F.R. §1.17(p) or a statement under 37 C.F.R. § 1.97(e). The required fee set forth in 37 C.F.R. §1.17(p) is one hundred and eighty dollars (\$180.00) and a check including this amount is enclosed.

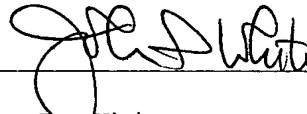
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the enclosed \$1,020.00 fee for a three-month

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extension of time and the enclosed \$180.00 fee set forth in 37 C.F.R. §1.17(p), is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

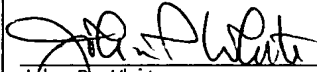
Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

 5/14/07
John P. White Date
Reg. No. 28,678



Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

Application Number	10/519,135
Filing Date	August 15, 2005
First Named Inventor	Josette Masle et al.
Art Unit	1638
Examiner Name	Kumar, Vinod
Attorney Docket No.	2992/73607/ JPW/JRM

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	1	US 2002/0040489 A1	04-04-2002	Jorn Gorlach et al.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
	2	WO 01/02541 A2	01-11-2001	The Penn State Research Foundation	

EXAMINER
SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds of Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

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Exhibit E

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	Application Number	10/519,135
	Filing Date	August 15, 2005
	First Named Inventor	Josette Masle et al.
	Art Unit	1638
	Examiner Name	Kumar, Vinod
	Attorney Docket No.	2992/73607/JPW/JRM

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	3	Thumma, B.R., et al. (2001) Identification of causal relationships among traits related to drought resistance in <i>Stylosanthes scabra</i> using QTL analysis. Journal of Experimental Botany, vol. 52, no. 355, pp. 203 - 214.	
	4	Hervé, D., et al. (2001) QTL analysis of photosynthesis and water status traits in sunflower (<i>Helianthus annuus</i> L.) under greenhouse conditions. Journal of Experimental Botany, vol. 52, no. 362, pp. 1857 - 1864.	
		Supplementary Partial European Search Report in connection with European Patent Application No. 03735170.7, filed July 2, 2003	
		International Search Report in connection with PCT International Application No. PCT/AU03/00854, filed July 2, 2003	

**EXAMINER
SIGNATURE**

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a checkmark here if English language Translation is attached.